

THE EQUITABLE TRUST DEED.

POLICY HOLDERS UNHAMPERED IN NAMING DIRECTORS.

To Send Their Nominations Direct to the Trustees and Announce That He Alone Bought the Stock and Paid \$2,500,000 for the 502 Shares.

Thomas F. Ryan, in a candid letter to the three trustees of the majority stock of the Equitable Life Assurance Society, ex-President of the Supreme Court Justice Morgan J. O'Brien and George Westinghouse, made known to them, the proper officials, that he alone is the sole owner of the 502 shares of stock purchased from James H. Hyde and that he paid \$2,500,000 for the stock.

Mr. Ryan has said all along since Friday that he was the absolute owner of the stock, that there was no divided responsibility, and that there would be no divided responsibility and that the trustees were alone empowered to accomplish the work of rehabilitation of the society.

From all States and nations where the Equitable Life Assurance Society is doing business have come to Mr. Ryan telegrams and cables and letters commending him for stepping into the breach at the most crucial period in the Equitable's career and by his personal purchase of a majority of the stock and the selection of the three trustees steering the Equitable from the rocks of demoralization to a conservative and businesslike harbor. Mr. Ryan's letter to the trustees is as follows:

Mr. Ryan's Letter.

June 15, 1905.

"Hon. Grover Cleveland, Hon. Morgan J. O'Brien, George Westinghouse, Esq."

"DEAR SIRS: In order that every possible basis for mystery may be eliminated, I am anxious that you should be fully apprised of every circumstance regarding my purchase of a majority of the stock of the Equitable Life Assurance Society. I am therefore writing this letter to place before you the only facts regarding the transaction which have not been made public."

"(1) I am the sole owner of the 502 shares of the stock of the Equitable society, which I purchased from Mr. Hyde and no other person or interest has contributed or has the right to contribute, a single dollar toward the purchase of the stock. All the policyholders who have been offered in making the purchase have had no connection with the management of the Equitable society, and their connection with the transaction was entirely advisory. I am under no obligation to any living man with respect to my action as the owner of this stock."

"(2) The amount which I paid for the 502 shares of stock purchased from Mr. Hyde is \$2,500,000."

"You are at liberty to make this letter public if you desire. Very truly yours, THOMAS F. RYAN."

The deed of trust under which the new trustees will discharge their duties, was made public at the same time that the letter was given out. This was after a meeting of the three trustees at the Hotel Buckingham, when Mr. Hyde and Mr. Ryan's lawyers, Elihu Root and Paul D. Cravath. The conference lasted for several hours in the morning and was taken up again in the afternoon. It was almost 10 o'clock before the deed of trust was completed and executed.

The deed provides for everything as promised by Mr. Ryan in his letter of last week, and the opinion was expressed last night among persons interested in the Equitable situation that the new plan would result in a better and safer form of mutualization than would have existed under the terms of the amended charter.

The deed provides for the trusteeship of the stock in perpetuity, although the directors are granted the power of terminating the trust at their discretion. They are to elect the trustees, and the other twenty-four at their "uncontrolled discretion."

The deed provides that the policyholders shall send their choice for directors directly to the trustees, thus doing away with the danger that the elections would be dictated by the agents or officers of the society through a proxy committee.

The deed of trust, in the city of New York, in the State of New York, on the 15th day of June, one thousand nine hundred and five, between Thomas F. Ryan, of the first part, and Grover Cleveland, Morgan J. O'Brien, and George Westinghouse, hereinafter called the "Trustees," of the second part.

"Whereas the Equitable Life Assurance Society of the United States, hereinafter called the 'society,' is a corporation of the State of New York, having a full paid capital stock of one thousand (\$1,000) shares of the par value of one hundred dollars (\$100) each, of which five hundred and two (502) shares are held by the party of the first part; and

"Whereas the corporate powers of the society are vested by its charter in a board of directors consisting of fifty-two (52) persons, divided into four classes of thirteen (13) directors each, each class serving for a term of four (4) years, so that thirteen (13) directors are elected at each annual election of the society; and

"Whereas the directors of the society have adopted a plan for the mutualization of the society by so amending its charter that of the fifty-two (52) directors of the society twenty-eight (28) should be elected by the policyholders and twenty-four (24) by the stockholders; and

"Whereas the consummation of said plan of mutualization and formal action thereon by the Superintendent of Insurance of the State of New York have been prevented by litigation; and in order to effect, so far as practicable and without further delay, the result sought to be obtained by said plan of mutualization, the party of the first part has entered into this agreement with the trustees:

"Now, THIS AGREEMENT WITNESSETH AS FOLLOWS:

"First—The party of the first part hereby transfers to the trustees said five hundred and two (502) shares of the capital stock of the society for the purpose of vesting in the trustees the right to elect twenty-four (24) of the directors of the society for the term and upon the terms and conditions stated in this agreement. The existing certificates for said stock shall be surrendered and cancelled, and certificates therefor shall be issued to the trustees, in which certificates it shall appear that the same are issued pursuant to this agreement, and that fact shall also be noted in the entry of the trustees as owners of such stock in the proper books of the society."

"Second—The trustees are exclusively authorized to exercise the voting power on the election of directors of the society, and shall, at every annual election of directors of the society, so vote on said stock, that out of every thirteen (13) persons or whom such stock shall be voted for, seven (7) shall be policyholders of the society, selected in accordance with the wishes of the policyholders of the society, expressed as hereinafter provided, and the remaining six (6) directors shall be selected by the trustees in their uncontrolled discretion, to the end that, of the entire fifty-two (52) directors, twenty-eight (28) shall be policyholders of the society, selected by, or on behalf of, the policyholders, and twenty-four (24) shall be lawfully eligible persons selected by the trustees in their sole discretion."

"The wishes of the policyholders in respect of the directors to be voted for by the trustees shall be expressed in the following manner: In each year, at any time prior to the first day of November, any holder of any policy which shall have been in force for one year or more, may send to the trustees, at the Equitable Building, No. 120 Broadway, New York city, a written request, designating policyholders of the society to the number of not more than seven-thirteenths of the number of directors to be elected at the next ensuing annual election of directors, for whose election as directors such policyholder desires the trustees to vote at such annual election or requesting the trustees to exercise their discretion on his behalf in

the selection of policyholders to act as such directors.

"Third—The trustees are authorized, in respect of said stock, to take, in their discretion, by vote, or otherwise, any action necessary or proper to effect the consummation of said plan for the mutualization of the society, by securing to the policyholders the right to elect directly twenty-eight (28) of the fifty-two (52) directors of the society, or a like proportion of the entire number of directors of which the board of directors shall from time to time consist."

"Fourth—In case said plan of mutualization shall become operative and the policyholders shall become entitled to elect directly twenty-eight (28) directors of the society out of an aggregate number of fifty-two (52) directors, or a like proportion of the entire number of directors, then the trustees, in respect of the stock held under this agreement, shall continue to hold such stock for the purpose of electing to be the remaining directors as they shall, in their uncontrolled discretion, select."

"Fifth—In case of vacancies in the board of directors, due to resignation or for any other cause, the trustees may make recommendations to the directors of the society as to the persons to be elected to fill such vacancies, and the trustees, for the purpose of this agreement may be promptly and effectually accomplished."

"Sixth—No vote shall be cast upon said stock for any purpose except with the unanimous approval of the trustees, but the trustees may empower any one of their number actually to cast their vote."

"Seventh—Any trustee may at any time resign by delivering to the other trustees his resignation in writing. In case of the death or resignation of a trustee, the vacancy shall forthwith be filled by appointment made in writing by the remaining trustees. The term 'trustees' whenever used herein shall include the successors of the second part, and their successors so appointed."

"Eighth—The party of the first part shall be entitled to the dividends on the stock deposited by him under this agreement."

"Ninth—This agreement shall continue in force for the full period authorized by section 20 of the General Corporation Law of the State of New York, viz.: five (5) years from the date hereof. It shall be continued thereafter so long as the parties shall deem advisable, and the party of the first part hereby agrees that, upon the expiration of any period of five (5) years, he will, upon the request of the trustees, execute an instrument continuing for a further period of five (5) years this agreement and the powers of the trustees hereunder, including said power to require an extension hereof. This agreement may, however, be terminated by the trustees in their discretion whenever in their opinion it is no longer advisable, or for any reason its termination is in their opinion, advisable."

"Tenth—Every other stockholder of the Society may transfer his stock to the trustees to be held subject to the provisions of this agreement, and thereupon may participate in the terms, conditions and privileges thereof."

"In witness whereof, the parties hereto have set their hands upon five originals hereof the day and date first above written."

"THOMAS F. RYAN,
"GROVER CLEVELAND,
"MORGAN J. O'BRIEN,
"GEORGE WESTINGHOUSE."

"In presence of Elihu Root, Paul D. Cravath, This letter to the policyholders, written by Mr. Cleveland and signed by the three trustees, was also given out last night."

"Trustees' Letter to Policyholders."

"We, the undersigned, have assumed the duties created by a trust agreement executed by Thomas F. Ryan, in his letter of last week, and the opinion was expressed last night among persons interested in the Equitable situation that the new plan would result in a better and safer form of mutualization than would have existed under the terms of the amended charter."

"It is provided in the instrument transferring the stock to us that we shall vote for seven out of the thirteen directors to be chosen annually from the holders of policies of insurance in said society, and that these shall be designated by the expression of their choice on the part of the body of all policyholders whose policies have been in force at least one year. The election of the six remaining directors to be elected each year is left to our discretion and judgment as trustees. This plan will result in finally giving to policyholders the privilege of choosing twenty-eight out of the fifty-two persons who will constitute the board of directors."

"It is also provided by said instrument of transfer, as a means of informing us of the choice which the policyholders may make of the directors allotted to their selection, that said policyholders shall express their wishes to us on this subject by sending to our address annually before the first day of November at the office of the Equitable society, 120 Broadway, New York city, a designation of the policyholders they desire to have elected as directors."

"We especially request this privilege, that they make their wishes known to us within the time and in the manner mentioned, in order that the plan inaugurated for their fair and satisfactory representation in the board of directors shall be carried out in its full intent and purpose."

"In order that the policyholders may be enabled to express their choice, we have determined to hold an early date to recommend to the trustees to be elected by the board to fill existing vacancies. We therefore urge policyholders to do so at once, and to express their preferences in regard to these vacancies."

"The trustees hope they will receive a very general response to this invitation."

"GROVER CLEVELAND,
"MORGAN J. O'BRIEN,
"GEORGE WESTINGHOUSE."

"All communications should be addressed to the above named trustees at the Equitable Building, 120 Broadway, New York city. At the residence of the trustees, Grover Cleveland was elected chairman, George F. Parker was appointed secretary. Mr. Parker is a personal friend of Mr. Ryan, and was chief of the literary bureau of the Democratic national committee in the last campaign and also was engaged in the same work in the Cleveland campaign of 1892."

"A report was circulated to the effect that Justice O'Brien had resigned his position as trustee of the society in place of Mr. Alexander. The work of the trustees as actually outlined by them, however, includes many reforms in the Equitable's management. The days of the financial misadventures of the society are gone, the complete rehabilitation of the society is being accomplished, and the Equitable is a life assurance society in the fullest sense of the word, unhampered by any financial limitations and unhindered by methods and officials which have brought the society into nauseating disrepute."

The weather.

The moderate heat was continued yesterday over the middle Atlantic States and in the Southern and Southwestern States. In the Lake region and over Mississippi Valley and thence west to the Pacific Coast the heat had become less severe, and it was growing cooler on account of high pressure areas forming in those sections. It should also be significantly cooler here for the next day or two."

The weather was fair yesterday over all the country, only at widely scattered points there were one or two thunderstorms."

The temperature yesterday, as recorded by the official thermometer, is shown in the annexed table:

8 A. M.	10 A. M.	12 M.	2 P. M.	4 P. M.	6 P. M.	8 P. M.	10 P. M.	Mean
72	78	82	84	86	84	82	78	80
64	70	74	76	78	76	74	70	74
56	62	66	68	70	68	66	62	66

Highest temperature, 84°, at 2 P. M.

WASHINGTON FORECAST FOR TODAY AND TOMORROW

For eastern New York, partly cloudy to-day, thunder showers in afternoon or evening, cooler to-morrow; in morning, showers; light to fresh winds, mostly south.

For Delaware and New Jersey, partly cloudy to-day, showers in morning; tomorrow, light to fresh winds, mostly south.

For western New York and western Pennsylvania, fair to-day, showers in morning; tomorrow, cooler to-day; variable winds.

PROBE FOR ALL DEPARTMENTS

SWEEPING INVESTIGATION BEING MADE AT WASHINGTON.

Method of Conducting Business of the Government Likely to be Revolutionized—More Grafting May Be Disclosed—Probers Appointed by President.

WASHINGTON, June 15.—The manner of conducting business in the several departments of the Government will in all probability be revolutionized as the result of an investigation now being made under the direction of President Roosevelt. The inquiry in question is in charge of a committee composed of five of the more prominent younger men of the administration, all of them close personal friends of the President. James R. Garfield, Commissioner of Corporations, is understood to be the chairman of this committee of inquiry. Clifford Pinchot, Chief Forester of the Government, Mr. Kepp, Assistant Secretary of the Treasury, Mr. Murray, Assistant Secretary of the Department of Commerce and Labor, and Mr. Hitchcock, First Assistant Postmaster General, are the other members.

The committee has already made considerable progress, although until this time the public has been not advised of its operations. It is understood that the committee has so far devoted itself to one department, much to the annoyance of the head of that department, who believes, it is said, that the various bureaus under his direction are up to date in every respect.

What occasioned this investigation, which is comprehensive in its scope, embracing every detail of departmental administration, including the manner of despatching the routine business, the systems followed in making disbursements and the methods employed in making contracts, is not made clear. As an incident of the postal scandal it was developed that the gross frauds perpetrated in the Department were the outgrowth of lax methods in handling public moneys and an irresponsibility on the part of many officials due to divided authority. Up to the time Postmaster-General Payne reorganized it, the Department really ran itself, all the work being practically done by subordinates, superior officers signing papers prepared by their subordinates.

Lax business methods were responsible in the opinion of those who were on the inside during the scandal inquiry for the grafting done by August W. Machen, George Beavers and other former officials who have since been indicted or convicted. The Department is now established on a business basis. Allowances for the improvement of the postal service are now based upon the needs of the public instead of upon the will or whim of Senators and Representatives in Congress.

"If methods were loose in the Post Office Department, it is fair to assume," said an official, "that they are loose in other branches of the Government. The recent defalcation in the Smithsonian Institution is a good illustration of the possibility of fraud in the public service nowadays."

It is understood that Mr. Garfield and his colleagues have been authorized by the President to make a searching inquiry into every bureau and department in Washington. The President is credited with the introduction of many reforms since he has been in the White House, and his friends say that if he can establish up to date business methods in the conduct of public affairs and throw the greatest possible safeguards around the expenditure of public moneys before he retires he will consider it not the least of the accomplishments of his administration.

It was pointed out to-day that in entrusting this work to subordinates the President takes a chance of disturbing the peaceful relations that now exist in his official family. There is good reason to believe that one member of the Cabinet has already expressed some irritation over what his friends term the inquisitorial methods of the Garfield commission.

It is not generally known yet among the 20,000 or more employees in the Government service that their work has come within the focus of a commission created by the President, but the fact cannot longer be concealed from them.

"For some years," said a departmental official to-day, "things have been running along in a free and easy manner in the service. It is safe to say that the Government does not get nearly as much work out of a clerk as would a private corporation or an individual. The average clerk takes things as they come, and performs his allotted task with his eye always on the clock and having no real pride in his work. The commission has got a big job on its hands, but it will undoubtedly do a great deal of good. It is his time that the antiquated forms followed in the despatch of public business should be supplanted by the modern and up to date methods of private corporations and firms."

THE REPUBLICANS SHY OF CITS.

ASK, IS IT POSSIBLE THAT YOU WILL INDORE M'CLELLAN?

Took the Leaders Two Hours to Decide Upon Interrogative Form of Answer—Limbo for M. O. Resolution That Legislators Are Bought Like Cattle.

The Republican county committee at its monthly meeting last night considered the invitation of the Citizens' Union to co-operation in a movement to secure the nomination of a non-partisan municipal ticket, instead of sending a specific answer adopted a resolution demanding from Mr. Cutting's organization what it meant by flirting with Tammany Hall and if the outcome of it might mean the indorsement of a Tammany ticket.

This reply was decided upon by the executive committee at a meeting held in the Fifth Avenue Hotel earlier in the day. The meeting at times was animated, and it was not until after about two hours discussion that an agreement was reached as to the nature of the communication to be sent to the Cits. Some of the committee were anxious that the Republican organization should commit itself to nothing at this time and merely forward a formal acknowledgment to the Union, while others favored telling the Cits that the committee would agree to work for a "non-partisan ticket" which did not include any Tammany Hall nominees.

The executive committee finally adopted a resolution of which this is a part. "Whereas it is the general report is correct the Citizens' Union has addressed a communication to Tammany Hall similar to that sent to this committee, and

"Whereas we believe that any alliance or relationship with Tammany Hall would be a violation of the principle of non-partisanship in the administration of the affairs of the city of New York; and

"Whereas the procedure of the Citizens' Union in preparing for the campaign this fall is in direct violation of the principles of non-partisanship in that it has not invited a conference of all true patriots, but has invited only Tammany Hall nominees to be its opponents; and

"That an inquiry be submitted to the Citizens' Union to learn if it has sent a communication to Tammany Hall, and if so, whether with a view to securing any nominee nominated by Tammany Hall."

At the meeting of the county committee at night the resolution was adopted unanimously and without comment. The general impression of the committee was that it merely meant sparring for time.

Ex-Assemblyman Allen of the Ninth district put a little finger into a dull meeting by calling upon the committee to pass a resolution which he had prepared committing the organization to municipal ownership. Only by this course he said could the people of this city get cheap gas and water and electricity. Those who are entrusted with power at Albany are bought like so many cattle on a Western plain and because such a spectacle as parties present is more than American blood can stand."

Mr. Allen's outburst was listened to in silence and when he got through a motion was made that the resolution be referred to the committee on public affairs. There being no such committee, the motion was adopted.

Important Change of Time
ON THE
New York Central Lines.

On and after June 18th, 1905, the Fast Mail will reach New York at 9:17, instead of 10:00 P. M.

The Second Empire will leave New York at 1:57, instead of 2:30 P. M. The Southwestern Limited will leave New York at 2:04, instead of 1:00 P. M., reaching St. Louis at 5:00 P. M. next day, saving 2 hours and 32 minutes.

The Twentieth Century Limited will leave New York at 3:30, instead of 2:45 P. M. Arriving in Chicago at 8:30 the next morning, instead of 9:45. Returning, this train will leave Chicago at 2:30, instead of 12:30 P. M., and reach New York the same as now, at 9:30 next morning.

Making the Time Between
New York and Chicago 18 Hours.

This is simply applying on the Lake Shore between Buffalo and Chicago the time the Empire State Express has been making from New York to Buffalo and 15 minutes, and retains for the New York Central Lines the long distance record of the world.

The Twentieth Century Limited will enable its patrons to reach Milwaukee in 20½ hours, St. Paul in 31½ hours and Minneapolis in 32 hours from New York.

By the New York Central Lines and their connections the time from New York to Denver will be 52½ hours; to San Francisco, Los Angeles, Portland or Tacoma, 4 days, and to Seattle 4½ days.

A. H. SMITH, General Manager. GEORGE H. DANIELS, General Passenger Agent.

For a copy of "America's Summer Resorts," which is No. 8 of the New York Central's "Fair Track Series" containing a list of the territory from New York, Boston, Montreal and New Haven inclusive, send a two-cent stamp to George H. Daniels, General Passenger Agent, Grand Central Station, New York.



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LOAD OF BROKEN CROCKERY.

Car That Broke It Shatters Fire and Passengers Are Shaken Up.

A north-bound Fordham street car, running up Third Avenue last night hit a truck loaded with crockery at 161st street. The fuse of the car blew out, scaring the passengers and setting fire to the under part of the car. Windows were shattered and several people in the car were hurt slightly by being thrown against the seats.

George Meyer, driver of the truck, was taken to a hospital with a scalp wound, whether with a view to the recovery of the car was not stated. He was released when Meyer refused to make a complaint against them.



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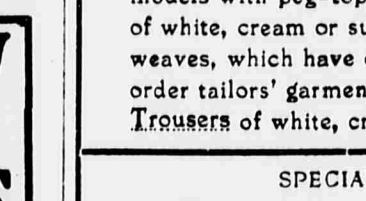
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